

(English version)

Question for written answer E-003271/25
to the Commission
Christine Anderson (ESN)
(22 August 2025)

Subject: Spillover effect of the Digital Services Act (DSA) into non-EU countries

On 25 July 2025, the US House of Representatives Judiciary Committee published its interim staff report entitled ‘The Foreign Censorship Threat: How the European Union’s Digital Services Act Compels Global Censorship and Infringes on American Free Speech’ ⁽¹⁾. The report argues that the DSA, by classifying ‘disinformation’, ‘hate speech’ and even memes and satire as systemic risks, puts pressure on very large online platforms to adjust their global terms of service. As most platforms apply uniform rules worldwide (e.g. via global terms of service), this leads to a spillover effect that restricts speech in jurisdictions where such content is entirely lawful, including the United States under the First Amendment.

In this light:

1. Does the Commission acknowledge that DSA enforcement creates a spillover effect by influencing how platforms moderate speech outside the EU, including in the United States?
2. Has the Commission ever (either individually or more broadly, via legal guidance) instructed or encouraged platforms to extend DSA-based rules beyond EU territory, knowing that they apply global terms of service?
3. What safeguards will the Commission adopt to ensure that EU regulatory practice does not effectively impose EU speech restrictions on non-EU legal systems?

Submitted: 22.8.2025

Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(8 October 2025)

The Digital Services Act (DSA) ⁽¹⁾ applies solely within the EU, and it does not regulate content, nor can it be used to censor any specific viewpoint online.

Providers of online platforms have both the right and ability to implement content moderation policies tailored to regional laws and cultural contexts, or to voluntarily apply certain terms and conditions in a harmonised manner.

Such regional adaptation is standard practice; platforms routinely adjust their systems and procedures to comply with diverse regulations worldwide.

The Commission has never instructed nor encouraged platform providers to apply the DSA outside the EU. The DSA is applicable and enforced only within the EU.

The DSA does not impose any content restrictions. On the contrary, the DSA makes online platforms accountable to citizens of the EU, including by mandating transparency around content moderation, and by granting appeal rights.

These rights are used actively to protect freedom of expression: for instance, using the DSA’s mandatory complaint-handling system, EU users challenged more than 16 million content removal decisions by Meta and TikTok in the second half of 2024. Thanks to the DSA, almost 35% of the removals done by online platforms were overturned and the affected content was restored.

¹ <https://judiciary.house.gov/media/press-releases/foreign-censorship-threat-how-european-unions-digital-services-act-compels>.
(¹) <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.